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ATTORNEYS FOR FORD MOTOR CREDIT COMPANY LLC

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE:	§	
	§	
JOHN & SHARON BARNETT,	§	CASE NO. 14-70042-HDH-13
DEBTORS.	§	
	§	
JOHN & SHARON BARNETT,	§	Objection to Confirmation
MOVANTS	§	Set:
	§	<b>APRIL 16, 2014 AT 8:30 A.M.</b>
VS.	§	
	§	
FORD MOTOR CREDIT COMPANY LLC,	§	
RESPONDENT.	§	

**OBJECTION TO CONFIRMATION**

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

COMES NOW, Ford Motor Credit Company LLC, Creditor, objecting to the confirmation of the Chapter 13 Plan proposed by John & Sharon Barnett ("Debtors") and for cause of action would respectfully show the Court as follows:

1. Creditor has a perfected security interest in a 2013 Ford F150, vehicle identification number 1FTFX1EF2DFD02806. As of the date of filing, Creditor was owed \$35,444.40.
2. Debtors' Plan proposes to pay Creditor direct which is acceptable to Creditor with the following provisions. The Plan should contain the following statement: In the event the last payment due on this secured claim is due after the date on which the final payment under the plan is due, this secured claim is subject to 11 U.S.C. § 1322(b)(5) and discharge of this secured claim

is subject to the provisions of 11 U.S.C. §1328 (a) and (c). The Motion for Valuation, set out in Section III of the Plan, does not include a request for the valuation of assets listed for payment in Section G of the Plan. Section G of the Plan in this case includes the proposal by the Debtors to repay the debt owed to Creditor which is secured by the vehicle described herein. Additionally, since Creditor is being paid directly, value of the collateral is irrelevant. Therefore, any value set forth in the Chapter 13 Plan should not be binding on Creditor for any purpose. The Plan must provide that Creditor retains its lien on the vehicle described herein until it is paid in full pursuant to the terms of its contract with the Debtors. Finally, the plan should not be confirmed unless Debtor is current on all direct payments to Creditor.

WHEREFORE, PREMISES CONSIDERED, Creditor prays for an Order of this Court:

1. Denying confirmation of Debtors' Chapter 13 Plan as proposed; and
2. For such other and further relief, both general and specific, to which Creditor may show itself justly entitled.

Respectfully submitted,

/s/ Stephen G. Wilcox

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ATTORNEYS FOR FORD MOTOR  
CREDIT COMPANY LLC

### **CERTIFICATE OF CONFERENCE**

I, the undersigned, hereby certify that prior to the filing of this Objection, I did the following:

My office contacted Debtors' attorney or Debtors' attorney's assistant and was advised that there is no opposition to the Objection.

/s/ Stephen G. Wilcox

Stephen G. Wilcox,

Clare Russell

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing Objection to Confirmation was served by FIRST CLASS MAIL, POSTAGE PRE-PAID on:

John & Sharon Barnett  
P.O. Box 81  
Bellevue, TX 76228

and ELECTRONICALLY SERVED on:

Monte White  
Hamilton Place  
1106 Brook Avenue  
Wichita Falls, TX 76301

Walter O'Cheskey  
6308 Iola Avenue  
Lubbock, TX 79424

Dated on March 24, 2014.

/s/ Stephen G. Wilcox  
Stephen G. Wilcox,  
Clare Russell

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